

MONTANA LEGISLATIVE HISTORY

Chapter 252 19 75

Bill H _____ S 238 Original bill & history ☒ C

H. Committee on Business & Industry

Hearing Date(s) 3-14 _____ C

_____ C

_____ C

_____ C

Date Out 3-14 _____ C

S. Committee on Business & Industry

Hearing Date(s) 2-19 _____ C

_____ C

_____ C

_____ C

DATE OUT 2-24

Did this bill originate in an interim committee? ☐ Yes ☐ No

Committee _____

Report _____

SENATE BILL NO. 238

INTRODUCED BY HIMSL, GREELY, DRAKE

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 74-608, R.C.M. 1947, TO ADD A NEW CLASS OF INDUSTRIAL EQUIPMENT UNDER THE RETAIL INSTALLMENT SALES ACT AND SETTING THE MAXIMUM FINANCE CHARGE FOR THE NEW CLASS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 74-608, R.C.M. 1947, is amended to read as follows:

"74-608. Finance charge limitation. (a) Notwithstanding the provisions of any other law, the finance charge included in a retail installment contract shall not exceed the following schedule:

(1) As to motor vehicles:

Class 1. Any new motor vehicle designated by the manufacturer by a year model not earlier than the year in which the sale is made--seven dollars (\$7) per one hundred dollars (\$100) per year.

Class 2. Any new motor vehicle not in class 1 and any used motor vehicle designated by the manufacturer by a year model of the same or not more than two (2) years prior to the year in which the sale is made--nine dollars (\$9) per one hundred dollars (\$100) per year.

Class 3. Any used motor vehicle not in class 2 and designated by the manufacturer by a year model more than two (2) years prior to the year in which the sale is made--eleven dollars (\$11) per one hundred dollars (\$100) per year.

(2) As to any industrial or construction equipment primarily designed for or used in construction, logging, or other industrial business, the price of which is over five thousand dollars (\$5,000)--nine dollars (\$9) per one hundred dollars (\$100) per year. This subsection shall not apply to agricultural equipment.

~~42~~ (3) As to services and goods other than motor vehicles as provided under subsections (1) and (2) above:
(i) On so much of the principal balance as does not exceed three hundred dollars (\$300), eleven dollars (\$11), per one hundred dollars (\$100) per year; (ii) if the principal balance exceeds three hundred dollars (\$300), but is less than one thousand dollars (\$1,000), nine dollars (\$9) per one hundred dollars (\$100) per year on that portion over three hundred dollars (\$300); (iii) if the principal balance exceeds one thousand dollars (\$1,000), seven dollars (\$7) per one hundred dollars (\$100) per year on that portion over one thousand dollars (\$1,000).

(b) Such finance charge shall be computed on the principal balance as determined under section 74-607 (f) on

1 contracts payable in successive monthly payments
2 substantially equal in amount from the date of the contract
3 until the maturity of the final installment, notwithstanding
4 that the total time balance thereof is required to be paid
5 in installments. A minimum finance charge of twenty dollars
6 (\$20) may be charged on any retail installment contract.

7 (c) When a retail installment contract provides for
8 payment, other than in equal successive monthly
9 installments, the finance charge may be a rate which will
10 provide the same yield as is permitted on monthly payment
11 contracts under subsections (a) and (b) hereof, having due
12 regard for the schedule of payments in the contract.

13 (d) Notwithstanding the provisions of any other law, a
14 retail charge account agreement may provide for, and the
15 seller or holder may charge, collect and receive a finance
16 charge, as specified herein, for the privilege of paying in
17 installments thereunder. The finance charge may be computed
18 from month to month (which need not be a calendar month) or
19 other regular billing cycle period by applying a rate not to
20 exceed one and one-half per cent (1 1/2%) for each such
21 monthly period to an amount (not including any unpaid
22 finance charge) not in excess of the greatest of:

23 (i) the average daily balance in the account in the
24 billing cycle period; or

25 (ii) the median amount within a ten dollar (\$10) range

1 within which such average daily balance or beginning balance
2 falls, provided the seller applies the same rate of finance
3 charge to all such balances within such range.

4 (e) If the finance charge so determined pursuant to (d)
5 above, for such monthly period is less than fifty cents
6 (50¢), a maximum finance charge not in excess of fifty cents
7 (50¢) may be charged, received and collected for such
3 period."

-End-

COMMITTEE ON Business and Industry

BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CON- CURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CON- CURRED IN DATE
SB 1	1/6/75	1/13/75	1/22/75			1/22/75			
SB 7	1/6/75	1/17/75	1/2/75			1/29/75			
SB 69	1/22/75	1/29/75	1/29/75			1/29/75			
SB 98	1/11/75	1/24/74	1/24/74			NO RECOMMENDATION			
SB 108	1/11/75	1/27/75	2/3/75			2/3/75			
SB 109	1/11/75	1/27/75	2/14/75		2/14/75				
SB 117	1/18/75	2/3/75	2/14/75			2/14/75			
SB 142	1/21/75	2/10/75	2/14/75		2/14/75				
SB 150	1/21/75	1/31/75	2/3/75	2/3/75					
SB 151	1/21/75	2/17/75	2/24/75	2/24/75					
SB 164	1/22/75	1/29/75	1/29/75			1/29/75			
SB 215	1/24/75	2/5/75	2/3/75	2/3/75					
SB 234	1/27/75	2/19/75	2/24/75			2/24/75			
SB 235	1/27/75	2/19/75	2/24/75			2/24/75			
SB 238	1/27/75	2/19/75	2/24/75	2/24/75					
SB 258	1/27/75	2/7/75	2/12/75		2/12/75				
SB 284	1/27/75	2/7/75	2/14/75		2/14/75				

February 19, 1975

MINUTES OF THE MEETING
BUSINESS AND INDUSTRY COMMITTEE
MONTANA STATE SENATE

The meeting of the Business and Industry Committee was called to order by Chairman Regan on the above date in room 404 of the State Capitol Building. The meeting was held to discuss Senate Bill 234 an act entitled: "An Act Amending Section 5-527, R.C.M. 1947, To Allow Savings and Loan Associations to Make the Same Charges on Installment Loans as do Banks." Senate Bill 235 an act entitled: "An Act to Regulate the Maximum Rate of Interest Which Parties May Agree to in Writing Amending Section 47-125, R.C.M. 1947." Senate Bill 238 an act entitled: "An Act Amending Section 74-608, R.C.M. 1947, to Add a New Class of Industrial Equipment Under the Retail Installment Sales Act and Setting the Maximum Finance Charge for the New Class."

SENATE BILL 238: Senator Himsl, chief sponsor, presented the bill to the Committee which would add a new class of industrial equipment under the retail installment sales act and setting the maximum finance charge for the new class. Tom Harrison, Montana Equipment Distributors Association, supported the bill. He suggested that in the new sub-section 3, line 10, following "logging" insert "mining." Gene Johnson, Westmont Tractor Company, stated they finance all equipment they sell. They borrow the money from the money market. In the past six months they were paying up to 16% in interest. They loose 4% on all financing. By passing the bill they could offer financing to customers and keep the money in Montana. Ken McDonald, Western Diesel Power, stated that some finance companies have pulled out of Montana because they could not make a profit. Lloyd Prangler, Prangler Distributors, stated that it has become necessary for purchasers of equipment to look for financing outside of Montana or to do their own financing. Eldon Nicholson, Nicholson Paving, stated that many people leave the state to buy equipment. Frank Feldman, Feldman-Murphy Company, stated that money is not available to him because it is not competitive. Richard Griel, Triple Tree Incorporated, stated they have to pay more for the equipment when bought outside of Montana because of moving costs. Bob Doolen, Western Equipment Company in Billings, stated they want a rate to make financing available period.

SENATE BILLS 234 and 235: Senator Greely, chief sponsor, persented them to the Committee. Senate Bill 234 would allow savings and loan associations to make the same charges on installment loans as do banks. Senate Bill 235 would regulate the maximum rate of interest which parties may agree to in writing. Ross Cannon, Montana Bankers Association, stated that Senate Bill 235 is the more important of the two. He suggested they eliminate the floor. Paul Johnson, Montana Savings and Loan Association, supported the bills. Prepared statement attached. W.B.

February 24, 1975

MINUTES OF THE MEETING
BUSINESS AND INDUSTRY COMMITTEE
MONTANA STATE SENATE

Chairman Regan called the meeting of the Business and Industry committee to order on the above date in room 404 of the State Capitol Building. The meeting was called to take executive action on Senate Bills, 238, 234, 235, 315, 386, and 151 and Senate Joint Resolution 15.

ROLL CALL: All members of the Committee were present.

SENATE BILL 238: Senator Regan moved to amend page 2, line 7, following "logging" insert "mining". All were in favor. Senator Greely moved the bill do pass as amended. All were in favor with Senators Foster and Towe being absent for the vote.

SENATE JOINT RESOLUTION 15: Senator Devine moved to amend page 1, line 22, following "the" strike "President" insert "Committee on Committees". Lines 23, 24, and 25, following "Representatives" strike "join with the presiding officers of the legislatures of Washington, Idaho, Oregon, and California, each in appointing" insert "appoint". All were in favor with Senator Foster being absent for the vote. Senator Greely moved to amend page 2, line 5, following "the" strike "duty to" and insert "a". All were in favor with Senator Foster being absent for the vote. Senator Devine moved the bill do pass as amended. All were in favor with Senator Foster being absent for the vote.

SENATE BILL 234: Senator Towe moved to amend line 17, page 1, following "loans" insert "other than loans for purchase of real estate" and to amend the title, page 1, line 6, following "banks" insert "and excluding application of the section to loans for the purchase of real estate". All were in favor. Senator Towe moved the bill do pass as amended. All were in favor.

SENATE BILL 235: Senator Greely moved to amend page 1, line 17 following "district" insert "at the date the loan is executed". All were in favor. Senator Towe moved the bill do pass as amended. All were in favor.

SENATE BILL 315: Senator Towe moved the bill do pass as amended. All were in favor.

SENATE BILL 386: Senator Towe moved to amend page 1, line 17, following "meat" insert "known to him to be foreign meats" and to amend page 1, line 14, following "MEAT" insert "or MEAT from (country of origin)". All were in favor with the exception of Senator Rosell.

STANDING COMMITTEE REPORT

February 24 19 75

MR. PRESIDENT

We, your committee on Business and Industry

having had under consideration Senate Bill No. 238

Respectfully report as follows: That Senate Bill No. 238,

introduced bill, be amended as follows:

1. Amend page 2, section 1, line 7.
Following: "logging"
Insert: "mining"

~~DELETED~~

AND BE SO AMENDED, DO PASS

BUSINESS AND INDUSTRY COMMITTEE

44 Legislature

Bill No.	Subject Matter	Date In	Sponsor	Hearing Date	Committee Action	Date Out
SB 238	Add New Class Of Industrial Equipment Under Retail Installment Sales Act & Set Maximum Finance Charge For The New Class	3/4/74	Hims1	3/14/75	BE CONCURRED IN	3/14/75

BUSINESS AND INDUSTRY COMMITTEE

March 14, 1975

The meeting of the Business and Industry Committee was called to order this date, at 10:30 A.M., with Chairman Shelden presiding.

The following bills were before the committee for consideration:

SB 238.. Senator Hims1, sponsor, briefly explained the bill; referring to the amendments that had been made, on page 2 (2), lines 6 through 11. He introduced Robert Doolen, Montana Equipment Co., who testified as a proponent.

Mr. Doolen said he was very much in favor of this legislation, and that they really had many problems concerning financing in their industry. He said that local types of financing simply were not available. Mr. Doolen said the local banks did not have the money to loan, and that they had to go out of state to obtain any money.

Jim Steffek, Steffek Equipment Co., also testified as a proponent to SB 238. He said there was no money available, and that it didn't matter what percent interest you would be willing to pay, the money just wasn't there, and that something should be done about this matter, when all of these people had to go out of state to obtain financing.

Gene Godfrey, Tractor & Equipment Co., testified in support of this bill. He said the competition in the money market was a major issue in this matter, and further said, that they had to charge their customers a high interest rate, as they had to pay so much for their money. Mr. Godfrey, also said, they had to go out of the state for their money.

Howard Hanger, Western Diesel Power Inc., also testified as a proponent to this bill. He said the finance in Montana was not available, and that this bill would certainly help to correct the situation.

Mr. Jean Johnson, Westmont Tractor Co., briefly stated his views which were supportive of the other proponents' views, and said he hoped the committee would pass this bill.

Mr. E. J. Nicholson, Nicholson Paving, also spoke as a proponent to this bill; he said he didn't have much more to add to the testimony of the other proponents, but that he totally agreed with their testimony.

James T. Harrison, Jr., representing the Montana Equipment and Distributors Association, testified as a proponent to SB 238. Mr. Harrison said this bill contained the flexibility to meet the current money market at this time, and that people could do their financing in the state, rather than be forced to go out of state, to obtain money. He said this would also bring large companies into the state.

Senator Himsel, in closing, said the money market people agreed with this bill, and again mentioned the fact that the bill was needed in Montana.

A question and answer period followed, with Mr. Nicholson explaining that no banker will loan money at 10 percent, when he has to pay 12 percent to get his money. He said they couldn't look to the banks for their interest rates; that the amount of the rate was redundant, there simply was no money available at any rate of interest.

Senator Towe, who was the sponsor for SB 315, which was to be heard next, had not yet arrived at the hearing; so Chairman Sheldon said the committee could consider bills that had been heard at an earlier date, but had not been acted on.

SB 234...Rep. Harper moved that this bill BE CONCURRED IN, and this motion passed unanimously.

SB 235...The committee discussed this bill, and it was ultimately decided that the bill had been treated shabbily, and Rep. Fagg, who was the sponsor of it, proposed that everything be deleted after the enacting clause, and the body of HB 120, as it was when it left the House, be inserted thereon. Rep. Fagg then moved that SB 235, AS SO AMENDED, BE CONCURRED IN, and this motion carried, with Representatives Sheldon, Harper, Bradley, Vincent and Richards voting NO. A copy of the proposed amendments is attached hereto.

At this time, Sen. Towe arrived at the hearing, and SB 315 was heard. Senator Towe explained that this bill was really a very simple bill. He said no one opposed it in the Senate, and that it was noncontroversial. Senator Towe said this bill would simply state what was allowed and what was not allowed for advertising. He said that if the Public Service Commission wished to disallow certain expenses, they should be required to explain exactly what is allowed and what is disallowed.

Senator Towe proposed some amendments to the bill; he wished to amend page 1, section 1, lines 15 and 16, following "costs.", to strike "This section applies to such accounts as provide for "above the line" expenditures." He also proposed that after line 19, of page 1, section 1, this sentence be added: "A utility shall also itemize in its annual report to the commission, all expenditures of more than \$50, (a) paid for by the consumer in the miscellaneous general expenses section of account 930 and (b) paid for by the consumer or stockholder in account 426.1, or as those accounts may be renumbered." He further wished to amend the title as follows: Amend title, line 6, following "PROCEEDINGS", insert "AND THE UTILITY TO ITEMIZE CERTAIN EXPENDITURES".

Senator Towe said the bill would be helpful to the consumer, as well as the utility. A statement from Clyde Jarvis, president of the Montana Farmers Union, was presented to the committee by Senator Towe, supporting SB 315. A copy of this statement is attached hereto.

Senator Towe testified further regarding SB 315; he said that in the Havre area a huge amount of money was spent by the Power Company to counteract other utilities coming in there, and this expenditure should be reported by the Power Co-the stock-holders have a right to know.

The following action was taken by the committee:

SB 315...The committee members voted on each amendment separately. Amendment No. 1, as appears on page two of these minutes was approved, but the committee, after discussion of the proposed second amendment, decided not to adopt the second amendment that Senator Towe proposed. Rep. Casey said the reason why this bill had been noncontroversial was that it didn't have this amendment on it; Rep. Harper moved that SB 315, AS SO AMENDED, BE CONCURRED IN, and this motion passed unanimously.

SB 238...Rep. Fabrega moved that this bill BE CONCURRED IN, and this motion carried unanimously.

Chairman Shelden asked the subcommittee on SB 1 if they had a report for the committee, and Rep. Williams said they weren't ready at this time. Chairman Shelden said the committee would go into executive session on Monday, March 18, to act on Senate Bill No. 1.

There being no further business, the meeting was adjourned.

any person. The coroner shall hold an inquest only if requested to do so by the county attorney of the county in which death occurred or by the county attorney of the county in which the acts or events causing death occurred. *However, when the death of any person occurs in a jail or penal institution, or from the use of a firearm by a peace officer, except where criminal charges have been or will be filed, the county attorney shall direct the coroner to hold an inquest.* The coroner shall conduct the inquest with the aid and assistance of the county attorney. For holding such inquest, the coroner must summon a jury of not more than nine (9) persons, qualified by law to serve as jurors. Such inquest is to be held in accordance with sections 95-804 through 95-809 of this chapter."

Approved April 7, 1975.

CHAPTER NO. 251

AN ACT AMENDING SECTION 93-1107, R.C.M. 1947, RELATING TO THE JUDGES' RETIREMENT SYSTEM AND REDEFINING FINAL SALARY.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 93-1107, R.C.M. 1947, is amended to read as follows:

"93-1107. Judges' retirement system — definitions. The following words and phrases as used in this act, unless a different meaning is plainly implied by the context, shall have the following meanings:

"Accumulated deductions"—the total of the amounts deducted from the salary of a contributor and paid into the fund, and standing to his credit in the fund, together with the regular interest thereon.

"Beneficiary"—shall be such person or persons having an insurable interest in his life as he shall nominate by written designation, duly acknowledged and filed with the board.

"Retired judge"—any person in receipt of a retirement allowance under this act.

"Board"—the Montana judges' retirement board.

"Penalty retirement age"—seventy (70) years of age.

"Contributor"—any person who has accumulated deductions in the fund standing to his credit.

"Final salary"—the annual *current* salary for the office retired from.

"Actuarial equivalent"—the accumulated contributions and the present value of the member's state service based on length of service and member's attained age used to provide a life or temporary life income to the legally designated person, based on such person's attained age and sex at the time the option becomes available.

"Fund"—the Montana judges' retirement fund.

"Involuntary retirement"—a retirement not for cause and before retirement age.

"Member's annuity"—payments for life derived from contributions made by the contributor.

"Retirement allowance"—the state annuity plus the member's annuity.

"State annuity"—payments for life derived from contributions made by the state of Montana."

Approved April 7, 1975.

CHAPTER NO. 252

AN ACT AMENDING SECTION 74-608, R.C.M. 1947, TO ADD A NEW CLASS OF INDUSTRIAL EQUIPMENT UNDER THE RETAIL INSTALLMENT SALES ACT AND SETTING THE MAXIMUM FINANCE CHARGE FOR THE NEW CLASS.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 74-608, R.C.M. 1947, is amended to read as follows:

"74-608. Finance charge limitation. (a) Notwithstanding the provisions of any other law, the finance charge included in a retail installment contract shall not exceed the following schedule:

(1) As to motor vehicles:

Class 1. Any new motor vehicle designated by the manufacturer by a year model not earlier than the year in which the sale is made—seven dollars (\$7) per one hundred dollars (\$100) per year.

Class 2. Any new motor vehicle not in class 1 and any used motor vehicle designated by the manufacturer by a year model of the same or not more than two (2) years prior to the year in which the sale is made—nine dollars (\$9) per one hundred dollars (\$100) per year.

Class 3. Any used motor vehicle not in class 2 and designated by the manufacturer by a year model more than two (2) years prior to the year in which the sale is made—eleven dollars (\$11) per one hundred dollars (\$100) per year.

(2) *As to any industrial or construction equipment primarily designed for or used in construction, logging, mining, or other industrial business, the price of which is over five thousand dollars (\$5,000)—nine dollars (\$9) per one hundred dollars (\$100) per year. This subsection shall not apply to agricultural equipment.*

(3) As to services and goods other than *as provided under subsections*

(1) and (2) above: (i) On so much of the principal balance as does not exceed three hundred dollars (\$300), eleven dollars (\$11), per one hundred dollars (\$100) per year; (ii) if the principal balance exceeds three hundred dollars (\$300), but is less than one thousand dollars (\$1,000), nine dollars (\$9) per one hundred dollars (\$100) per year on that portion over three hundred dollars (\$300); (iii) if the principal balance exceeds one thousand dollars (\$1,000), seven dollars (\$7) per one hundred dollars (\$100) per year on that portion over one thousand dollars (\$1,000).

(b) Such finance charge shall be computed on the principal balance as determined under section 74-607 (f) on contracts payable in successive monthly payments substantially equal in amount from the date of the contract until the maturity of the final installment, notwithstanding that the total time balance thereof is required to be paid in installments. A minimum finance charge of twenty dollars (\$20) may be charged on any retail installment contract.

(c) When a retail installment contract provides for payment, other than in equal successive monthly installments, the finance charge may be a rate which will provide the same yield as is permitted on monthly payment contracts under subsections (a) and (b) hereof, having due regard for the schedule of payments in the contract.

(d) Notwithstanding the provisions of any other law, a retail charge account agreement may provide for, and the seller or holder may charge, collect and receive a finance charge, as specified herein, for the privilege of paying in installments thereunder. The finance charge may be computed from month to month (which need not be a calendar month) or other regular billing cycle period by applying a rate not to exceed one and one-half per cent (1 ½%) for each such monthly period to an amount (not including any unpaid finance charge) not in excess of the greatest of:

(i) the average daily balance in the account in the billing cycle period; or

(ii) the median amount within a ten dollar (\$10) range within which such average daily balance or beginning balance falls, provided the seller applies the same rate of finance charge to all such balances within such range.

(e) If the finance charge so determined pursuant to (d) above, for such monthly period is less than fifty cents (50¢), a maximum finance charge not in excess of fifty cents (50¢) may be charged, received and collected for such period."

Approved April 7, 1975.

CHAPTER NO. 253

AN ACT TO DELETE THE TOWNSHIP TERRITORIAL LIMITS ON CONSTABLES; TO REQUIRE THE BOARD OF COUNTY COMMISSIONERS TO SET SALARIES FOR CONSTABLES; TO MAKE CONSTABLES APPOINTED COUNTY OFFICERS; AMENDING SEC-

TIONS 16-507, 16-2404, 16-2406, 16-3601, 16-3607, 16-4010, 66-205, 93-7709, R.C.M. 1947; REPEALING SECTION 25-309, R.C.M. 1947; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 16-507, R.C.M. 1947, is amended to read as follows:

"16-507. **Officers of new county—judicial district.** At the election provided for in section 16-505 of this code, there shall be chosen such county, township, and district officers as are now or may hereafter by general law be provided for in counties of the class to which the said new county is determined to belong, as herein provided; provided, that all duly elected, qualified and acting officers of the county or counties, who may reside within the proposed new county, shall be deemed to be officers of said new county if they file with the board of county commissioners, whose duty it shall be to call the election, within five days after the final hearing and determination of said petition for such proposed new county, their intention to become officers of said proposed new county, and the board of county commissioners issuing the proclamation of any election, as in this act provided, shall omit providing for the election of any such officers as may have filed their declaration as herein provided; and provided, also, that all duly elected, qualified, and acting justices of the peace residing within the proposed new county shall hold office as such justices of the peace in said county for the remainder of the term for which they were elected; provided, further, that all duly elected, qualified, and acting school trustees residing within the proposed new county at the time of the division of such county into school districts, as hereinbefore in section 16-505 provided, shall hold office as school trustees in said new county for the remainder of the term for which they were elected on qualifying as school trustees for the respective districts in which they reside, as said districts are organized as provided by this act. Each person elected or appointed to fill an office of such new county under the provisions of this act shall qualify in the manner provided by law for such officers, except as herein otherwise provided, and shall enter upon the discharge of the duties of his office within such time as herein provided, after the receipt of the certificate of his election. Each of such officers may take the oath of office before any officers authorized by the laws of the state of Montana to administer oaths, and the bond of any officer from which a bond is required shall be approved by any judge of the district court of the district to which such new county is attached for judicial purposes. The officers elected or appointed under the provisions of this act shall each perform the duties and receive the compensation now provided by general law for the office to which he has been appointed or elected in the counties of the class to which such new county shall have been determined to belong, as herein provided under the general classification of counties in this state.

Said new county, when created and organized in pursuance of the provisions of this act, shall be attached to such judicial district as may be designated by the governor of the state of Montana, in a proclamation to be issued by him, designating such new county as attached to the particular judicial district for judicial purposes."